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PATENT APPLICATION

ATTORNEY DOCKET NO. 10002206-1

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SEP 16 2002 JC106  
PATENT & TRADEMARK OFFICE  
AGILENT TECHNOLOGIES, INC.  
Legal Department, M/S DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, CO 80537-0599

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Date: September 9, 2002  
**Robert H. Kincaid** :  
Serial No.: 09/697,875 : Group Art Unit: 1634  
Filed: October 26, 2000 :  
For: APPARATUS AND METHODS OF : Examiner: B. J. Foreman  
DETECTING FEATURES ON A  
MICROARRAY

STATEMENT REGARDING SEQUENCE LISTING UNDER 37 CFR 1.821

BOX SEQUENCE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant submits herewith for consideration a separate paper copy of a nucleotide sequence entitled "Sequence Listing" and a computer readable form of the Sequence Listing (on an IBM formatted 1.44 MB diskette) in accordance with 37 CFR 1.821 (c) and (e). The information recorded in computer readable form is identical to the written (paper copy) sequence listing. No new matter is added thereby.

If you have any questions regarding the above, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

ROBERT H. KINCAID

By: Elizabeth E. Leitereg  
Elizabeth E. Leitereg  
Attorney for Applicant  
Registration No. 34,101  
Telephone No.: (775) 849-3085

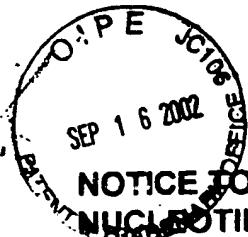
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D. C. 20231, on September 9, 2002.

Elizabeth E. Leitereg  
Elizabeth E. Leitereg

99-02

Date

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: \_\_\_\_\_

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**Applicant Must Provide:**

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An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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